

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X

IN RE:

Joseph DiSalvo

CHAPTER 7  
CASE NO.: 11-70087  
JUDGE: Grossman

Debtor(s).

SS#: xxx-xx-3694

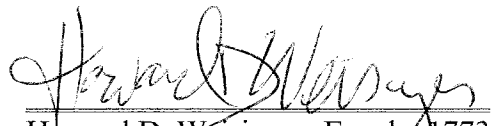
-----X

**MOTION TO EXTEND STAY**

**PLEASE TAKE NOTICE** that upon the annexed affirmation of HOWARD D. WEISINGER, attorney for Debtor, Joseph DiSalvo, and the exhibits annexed hereto, a motion will be made before the Honorable Robert E. Grossman, United States Bankruptcy Judge, Courtroom 860, at the United States Bankruptcy Court for the Eastern District of New York, 290 Federal Plaza, P.O.B. 9013, Central Islip New York, 11722, on **February 9, 2011 at 9:30am** for the entry of an order pursuant to 11 USC Section 362(c)(3) to extend the automatic stay beyond thirty days, *a copy of the proposed order* is annexed hereto.

**PLEASE TAKE FURTHER NOTICE**, that objections, if any, to the relief sought must be in writing, must conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of this Court, and served on counsel for debtor as well as a copy to Chambers of the Honorable Grossman at the above address together with proof by affidavit, admission or otherwise that copies have been properly served so as to actually be received not later than seven (7) days before the hearing date. If no timely objections are filed and served, the Court may grant the relief sought without further notice.

Dated: January 11, 2011  
Carle Place NY

  
Howard D. Weisinger, Esq. hwl 773  
Attorney for Debtor(s)  
393 Old Country Rd., Suite 300  
Carle Place NY 11514  
(516) 997-0700

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
IN RE:

Joseph DiSalvo

CHAPTER 7  
CASE NO.: 11-70087  
JUDGE: Grossman

Debtor(s).

SS#: xxx-xx-3694

**AFFIRMATION**

-----X

HOWARD D. WEISINGER, an attorney duly admitted to practice before the Courts of the State of New York, hereby affirms the following under penalty of perjury:

1. I am the attorney for the debtors who filed a petition pursuant to 11 U.S.C. Chapter 7 on January 10, 2011.
2. As Debtor's attorney, I am familiar with the facts and circumstances of this case and the case dismissed within the past year.
3. The Debtor's instant Chapter 7 was filed in the Eastern District of New York, Brooklyn Division, and was assigned to the Honorable Robert E. Grossman.
4. The Debtor had a prior Chapter 7 dismissed within the preceding year. That case was numbered 10-77491 and was filed September 23, 2011 by Debtor Pro Se.
5. The Petition and Schedules filed by debtor contained a number of deficiencies. Although the debtor did his best to file all schedules and statements, the Schedules A & B were not filed, but instead served upon the case Trustee, Mr. Pergament.
6. As a result of these two missing Schedules, the debtor's Petition was dismissed automatically under 11 U.S.C. Section 521(i).
7. But for the debtor's inexperience with the Bankruptcy filing procedures and requirements, the case would not have been dismissed.

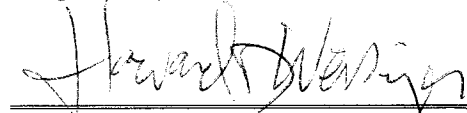
8. All schedules and statements have been filed. Debtor is represented by counsel. The Court could conclude from the totality of the circumstances the case was filed in good faith and will proceed to discharge.

9. No prior application seeking the relief requested has been made. Debtor has served all creditors listed in the case with this motion to extend the stay as well as a proposed order.

WHEREFORE, Debtor respectfully requests this Court for the entry of an Order extending the stay beyond the thirty (30) days and for such other and further relief as this Court deems just and proper.

DATED: January 11, 2011  
Carle Place, New York

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Howard D. Weisinger", is written over a horizontal line.

Howard D. Weisinger, Esq. hwd773  
Attorney for Debtor(s)  
393 Old Country Rd., Suite 300  
Carle Place NY 11514  
(516) 997-0700

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
IN RE:

Joseph DiSalvo

CHAPTER 7  
CASE NO.: 11-70087

Debtor(s).

SS#: xxx-xx-3694

-----X

**ORDER**

Upon the application of Howard D. Weisinger, Esq., attorney for Debtor(s), Joseph DiSalvo, pursuant to 11 U.S.C. Section 362(c)(3) seeking to extend the automatic stay provided to the debtor under Section 362(a) beyond thirty (30) days, due notice having been given all creditors on November 16, 2010, and this matter coming on for hearing on December 10, 2010, and no opposition appearing thereto, it is hereby,

ORDERED, the automatic stay afforded the debtor under Section 362(a) of the Bankruptcy Abuse and Consumer Prevention Act of 2005 shall continue in full force and effect as to all creditors served with the motion, and it is further

ORDERED, that any creditor subsequently seeking relief from the automatic stay shall do so by motion with notice.

\_\_\_\_\_  
HON. ROBERT E. GROSSMAN  
U.S. BANKRUPTCY COURT

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
IN RE:

Joseph DiSalvo

Debtor(s).

SS#: xxx-xx-3694  
-----X

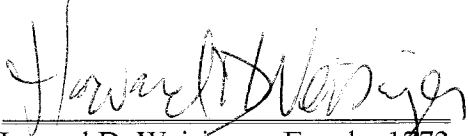
CHAPTER 7  
CASE NO.: 11-70087  
JUDGE: Grossman

AFFIRMATION OF MAILING

PLEASE TAKE NOTICE the annexed Notice of Motion and Affirmation to Extend the Stay is a true and accurate copy in the above referenced Bankruptcy and was mailed to the parties listed herein by depositing the same with the proper postage pre-paid in a United States Mailbox by the undersigned attorney, duly admitted to practice before the Courts of the State of New York and this Court, and, who affirms said mailing on:

January 11, 2011

DATED: 1/11/2011  
Carle Place NY

  
Howard D. Weisinger, Esq. hw1773  
Attorney for Debtor(s)  
393 Old Country Rd., Suite 300  
Carle Place NY 11514  
(516) 997-0700

TO: US Bankruptcy Court  
L.I. Federal Courthouse  
290 Federal Plaza  
C. Islip, NY 11722

U.S. Trustee's Office  
L.I. Federal Courthouse  
560 Federal Plaza  
C. Islip, NY 11722

Neil H. Ackerman, Esq.  
BARTON BARTON & PLOTKIN, LLP  
420 Lexington Avenue  
New York NY 10170

**SEE ATTACHED ADDITIONAL SERVICE LIST**

East Neck Nursing/Palir  
134 Great East Rd  
West Babylon, NY 11704

EMC Mortgage  
POB 293150  
Lewisville, TX 75029

Frank Rancano  
19813 Hollis Ave  
Saint Albans, NY 11412

Frank Sommers  
103 West End Ave  
Shirley, NY 11967

H. Sasson MD  
1000 Northern Blvd  
Great Neck, NY 11021

Home Depot/Midland Fund  
7 Entin Rd.  
Parsippany, NJ 07054

IRS  
POB 7346  
Philadelphia, PA 19101

IRS  
11601 Roosevelt Blvd  
POB 21126  
Philadelphia, PA 19114

Janet & Rob D'Zurilla  
76 East End Ave  
Hicksville, NY 11801

Janet McCarthy  
504 Avon Pl  
West Islip, NY 11795

Jeff Marino  
3680 Courtney Lane  
Bethpage, NY 11714

Abrams Fensterman LLP  
1111 Marcus Ave  
New Hyde Park, NY 11042

Alvin Sarter  
670 White Plains Rd.  
Scarsdale, NY 10583

Capital Recovery  
Recovery Management System  
25 S.E. 2nd Ave, Ste 1120  
Miami, FL 33131

Carl & Linda Prellwitz  
c/oPalmeiri & Castiglione  
250 Mineola Blvd  
Mineola, NY 11501

Central Orthopedic  
651 Old Country Rd  
Plainview, NY 11803

Chase/DanielsNorelli  
900 Merchants Concourse  
Westbury, NY 11590

Ciro Savarese  
3243 Ampere Ave  
Bronx, NY 10465

CitiCards  
10965 Decatur Rd  
Philadelphia, PA 19154

Con Ed  
4 Irving Place, Room 1875  
New York, NY 10003

David Salvo  
14 Deer Court  
Brewster, NY 10509

Dorothy DeMarco  
3421 Country Club Rd.  
Bronx, NY 10465

JNL Funding  
Hempstead Tpke  
Farmingville, NY 11738

John DiMiceli  
15A Rose Ave.  
Glen Cove, NY 11542

Lloyds Realty  
124 Front St  
Greenport, NY 11944

Mary Ann DiSalvo  
80 Main Parkway East  
Plainview, NY 11803

MCI Verizon  
8014 Bayberry Rd  
Jacksonville, FL 32256

Michael Abbruzze  
15 Chester Dr.  
Yonkers, NY 10710

Michael Tiedemann  
c/o Francis Fineo  
40 Crossways Pk Dr  
Woodbury, NY 11797

Mike Tamsett  
200 Broad Hollow Rd  
Melville, NY 11747

No. Shore LIJ  
POB 27681  
New York, NY 10087

Patricia Moore, Esq.  
51020 Main Rd.  
Southold, NY 11971

Paul & Karen Meyerowitz  
8 Simpson Dr  
Old Bethpage, NY 11804



Peter Gray/Realty Assoc  
866 So. Second St  
Ronkonkoma, NY 11779

Ralph & Ellen Peluso  
82-09 155th Avenue  
Howard Beach, NY 11414

Sommers Construction  
103 West End Ave.  
Shirley, NY 11967

Stephen Franciosa CPA  
213 Fordham St.  
Bronx, NY 10464

Stewart Title Ins.  
707 Westchester Ave  
West Harrison, NY 10604

Stuart Steinberg, Esq.  
Heath Berger, Esq.  
40 Crossways Park Dr.  
Woodbury, NY 11797